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JUAN VICTOR BARRERAS-ADRIANO
7

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,
11 Plaintiff,

12 vs.

13 JUAN VICTOR BARRERAS-ADRIANO ,
14
15 Defendant.

Case No.: 2:14-CR-236-KJD-VCF

STIPULATION TO CONTINUE
TRIAL DATES
(Fifth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
17 States Attorney, and Robert A. Bork, Assistant United States Attorney, counsel for the United States
18 of America, and Rene L. Valladares, Federal Public Defender, and PAUL RIDDLE, Assistant
19 Federal Public Defender, counsel for JUAN VICTOR BARRERAS-ADRIANO, that the calendar
20 call currently scheduled for Tuesday, June 9, 2015 at 9:00 a.m., and the trial currently scheduled for
21 Monday, June 15, 2015 at 9:00 a.m., be vacated and set to a date and time convenient to this court
22 but no longer than sixty (60) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. The client is in custody but does not oppose the continuance.
- 25 2. Since the filing of the previous stipulation, defendant efforts to retain private counsel
26 have not been realized. He requests additional time to decide if he will enter into the most recently
27 presented resolution or proceed to trial.

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1 3. The additional time requested herein is not sought for purposes of delay, but merely
2 to allow the defendant to make a thoroughly informed decision.

3 4. Additionally, denial of this request for continuance could result in a miscarriage of
4 justice. The additional time requested by this Stipulation is excludable in computing the time within
5 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code
6 § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and
7 3161(h)(7)(B)(iv).

8 5. This is the Fifth stipulation to continue filed herein.

9 DATED: June 5, 2015

10
11 RENE L. VALLADARES
12 Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

13 By: /s/ Paul Riddle
14 PAUL RIDDLE,
Assistant Federal Public Defender

By /s/ Robert A. Bork
ROBERT A. BORK,
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN VICTOR BARRERAS-ADRIANO ,

Defendant.

Case No.: **2:14-CR-236-KJD-VCF**

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The client is in custody but does not oppose the continuance.
2. Since the filing of the previous stipulation, defendant efforts to retain private counsel have not been realized. He requests additional time to decide if he will enter into the most recently presented resolution or proceed to trial.
3. The additional time requested herein is not sought for purposes of delay, but merely to allow the defendant to make a thoroughly informed decision.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

5. This is the Fifth stipulation to continue filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion and trial dates.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would

1 be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
2 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
3 account the exercise of due diligence.

4 The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United
5 States Code, §§ 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, § 3161 (h)(7)(A),
6 when considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B) and
7 3161(h)(7)(B)(iv).

8 **ORDER**

9 IT IS THEREFORE ORDERED that the calendar call currently scheduled for
10 Tuesday, June 9, 2015 at 9:00 a.m., be vacated and continued to
11 August 4, 2015 at the hour of 9:00 am
12 and the trial currently scheduled for Monday, June 15, 2015 at 9:00 a.m., be vacated and continued
13 to August 10, 2015 at the hour of 9:00 am

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15 DATED 9th day of June, 2015.

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18 UNITED STATES DISTRICT JUDGE